

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:08-CR-70
)	
EXGARDO ERAZO,)	(VARLAN/GUYTON)
)	
Defendant.)	

ORDER

This case is before the Court on Defendant Exgardo Erazo's *pro se* letter [Doc. 113], which was docketed as a motion on November 9, 2009. The letter requests copies of certain documents, which the Defendant claims that he has been unable to get through his attorney. The Defendant is represented by Attorney Charles I. Poole, who was appointed [Doc. 102] to represent the Defendant on August 18, 2009. Generally, *pro se* motions filed while the party is represented by counsel violate the local rules:

Whenever a party has appeared by attorney, that party may not thereafter appear or act in his or her own behalf in the action or proceeding, unless an order of substitution shall first have been made by the court, after notice by the party to the attorney and to the opposing party. However, the court may, in its discretion, hear a party in open court, notwithstanding the fact that the party is represented by an attorney.

E.D.T.N. LR 83.4(c). The Defendant presents no valid or compelling reason for granting him permission to file *pro se* pleadings while he continues to be represented by counsel. Moreover, the Defendant runs the risk of waiving his attorney-client privilege and disclosing the details of his

defense strategy by such filings. Accordingly, the Defendant's *pro se* letter [Doc. 113] is **DENIED as moot** to the extent that it can be taken to be a motion. The Defendant is encouraged to take up his questions and the issues he seeks to raise with his very capable attorney.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge